



## Register results

The following actions have been taken by Federal agencies. They have previously been summarized as proposals in CONSUMER REGISTER. Extent of consumer and other comment is reported when such information is available.

• **Agriculture Dept.** has updated the grading standards for canned clingstone peaches, effective June 1. Agriculture received 5 comments on the original proposal, 4 of which were pertinent to the proposal. All 4 were in favor of the changes and included 2 individual consumers, one food marketing company and the Cannery League of California (the organization which suggested the changes in grading standards). Details—*Federal Register*: May 16, page 20957; April 28, 1977, page 21746. CONSUMER REGISTER: Dec. 1, 1977.

• **Federal Trade Commission (FTC)** has issued a final rule permitting sellers of prescription eyeglasses (or contact lenses or frames and mountings) and related services to advertise their product and services even if existing state laws or association codes prohibit such advertising. The rule includes a requirement that consumers be given copies of their prescriptions after eye examinations. Hearings were held and investigations conducted on the proposed trade regulation rule. FTC received many written comments from state and local government officials and consumer groups, and other organizations participated in the public hearings. In addition, over 1,000 written comments were received from consumers. The new rule becomes effective July 3. Details—*Federal Register*: June 2, page 23992; Jan. 16, 1976, page 2399. CONSUMER REGISTER: Feb. 15, 1976 and July 1, 1977. For more information write or call Terry Latanich, Federal Trade Commission, Washington, DC 20580; telephone 202-523-3426.

• **Treasury Dept.'s Bureau of Alcohol, Tobacco and Firearms (ATF)** has adopted regulations that will permit the use of larger wine bottles than the original metric standards allowed (3 liters—101 fluid ounces). Under the new rules any size container larger than 3 liters can be used as long as the containers are filled and labeled in even liter amounts. ATF received 89 comments on the proposal, most of them from individual consumers who were almost unanimously in favor of larger containers. In addition, several commenters expressed disapproval of the metric system being used for wine bottles. However, that issue has already been settled, and all wine bottles must be converted to metric by Jan. 1, 1979. Details—*Federal Register*: May 9, page 19846; Aug. 22, 1977, page 42231. CONSUMER REGISTER: Sept. 1, 1977. For more information write or call Charles Bacon, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226; telephone 202-566-7626.

## Visual distress signals on boats

Aug. 8 is deadline for comments on **Coast Guard's (CG)** proposal that all boats carrying up to 6 passengers and recreational boats 16 feet long or longer be required to carry visual distress signals at all times when operating on coastal waters. Boats less than 16 feet long will be required to carry special signals when operating on coastal waters at night. Kayaks, canoes and rowboats are included in the latter category.

Under the proposed rule CG will let the boater choose among the following devices when selecting which signals to carry:

- **DAY ONLY**—hand held orange smoke; floating orange smoke; orange flag 36" x 36" with black disc and square (International orange).
- **NIGHT ONLY**—white electric distress light, automatic or manually operated; red aerial flare or meteor.
- **DAY AND NIGHT**—hand held red flare; hand flare/smoke combination; red parachute flare.

CG notes that any device used would have to be either CG approved or certified to meet CG's specifications.

CG estimates that about 1.9 million boats will be subject to the requirements which it hopes will take effect in time for the 1979 boating season. CG points out that in FY 1976 it responded to 49,000 search and rescue operations and that visual distress signals would have been effective in many of these situations.

Because of the complexity of the proposal, CG urges all commenters to obtain copies of the proposal and other information from the person listed under "details" below.

Details—*Federal Register*: April 10, page 15118. Send comments to Commandant (G-CMC/81) US Coast Guard, Washington, DC 20590. For more information write or call Capt. George K. Greiner, Marine Safety Council, Room 8117, Transportation Dept., Washington, DC 20590; telephone 202-426-1477.

NOTE: In a separate action, **Coast Guard** has decided to begin limited monitoring of Citizens Band (CB) calls in the

coastal and Great Lakes areas as well as some other inland areas. However, CG warns that its CB monitoring might not be effective because first consideration must be given to maritime radio emergencies. Nevertheless, CG will install CB receivers at 200 search and rescue stations "to provide some additional degree of safety to the large number of small boats equipped with CB."

## Improving Government regulations

In compliance with President Carter's March 24 Executive Order 12044 on improving Government regulations, many agencies are already actively requesting public participation and comment on their proposed regulations. The order is intended to assure that Federal regulations are "as simple as possible," that they "achieve legislative goals effectively and efficiently," and that they "shall not impose unnecessary burdens on the economy, on individuals, on public or private organizations, or on state and local governments." [See CONSUMER REGISTER April 15.]

The order requires each agency to develop procedures for efficient rulemaking, such as justifying the need for a regulation, supervising its development, receiving comments, considering alternatives and reviewing compliance costs. As of June 2, 41 agencies had proposed their new rulemaking procedures and have asked for public comments on them.

Because of the volume of the material it is not possible for CONSUMER REGISTER to include a summary of the proposed policies for each agency. Those interested in commenting to a particular agency should refer to the appropriate issue of the *Federal Register*. The June 2 issue contains a list of the agencies that have already published their proposals along with the date their proposals appeared in the *Federal Register*. Later issues of the *Federal Register* will contain updated lists of the complying agencies.

Details—*Federal Register*: June 2, page 24212. Send comments to addresses listed for the appropriate agency. Comment deadlines vary for each agency.

## Benzene

June 30 is deadline for comments on **Consumer Product Safety Commission's** (CPSC) proposal to ban consumer products under its jurisdiction which contain benzene at a level of 0.1% or more by volume (except gasoline, solvents and substances for laboratory use).

CPSC says it has been proven that inhaling benzene may cause blood disorders, chromosomal abnormalities and leukemia. An abnormal incidence of leukemia has been observed in workers exposed to benzene for as little as 4 months. CPSC also says there is no general scientific and medical agreement on a known safe level of exposure to this carcinogen, and therefore exposure should be reduced to the lowest level possible.

Benzene, a clear, non-corrosive, highly flammable liquid, is used in consumer products such as detergents, pesticides, solvents, paints and paint removers, rubber cement, varnishes, stain removers, and adhesives. It has a low boiling point and high vapor pressure which causes it to evaporate rapidly.

About 86% of the benzene produced in the US is used as an intermediate in the production of other organic chemicals and will not fall under the ban.

Benzene raises the octane levels in unleaded gasoline. US gasoline contains an average of about one per cent benzene, but that percentage may be as high as 4.3% benzene in some gasoline. Gasoline has been excluded from the proposed ban because CPSC feels that the economic impact would be major and beyond the scope of the proposal.

Other parts of the proposal deal with labeling and packaging of the banned products.

Details—*Federal Register*: May 19, page 21838. Send comments to Secretary, Consumer Product Safety Commission, Washington, DC 20207. For more information call or write Francine Shacter at above address; telephone 301-492-6557.

## Dental X-rays

**Food and Drug Administration** (FDA) has denied a petition that would have amended diagnostic X-ray performance standards by eliminating the manufacture of slow-speed dental film that could cause high levels of patient exposure. Also, the petition would have required manufacturers of dental film to provide purchasers with information regarding proper procedures for exposure and development of the film.

The petition was filed in 1974 by New York City's Commissioner of Health.

Based on recent data, it now appears that dental film of sensitivity lower than speed group "D," the type of film the petitioner wanted eliminated, is no longer being manufactured or imported for use in the US. Therefore, FDA concluded that a regulation controlling the film is unnecessary.

Although the petition has been denied, FDA agrees with the City of New York that the present labeling and product information included on dental film and film processing material may not be sufficient to assure good quality radiographs. FDA is considering other options, such as the issuance of recommendations to establish quality assurance programs in dental radiology.

Details—*Federal Register*, April 14, page 15776. For more information write or call Joseph Wang, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857; telephone 301-443-3426.

This listing, prepared by Marion Q. Ciacchio, is intended only as summary coverage of selected *Federal Register* items deemed of particular interest to consumers, and it does not affect the legal status or effect of any document required or authorized to be published pursuant to Section 5 of Federal Register Act as amended, 44 U.S.C. 1505. *Federal Register* is published Monday through Friday (except Federal Government holidays) by **Office of the Federal Register, National Archives and Records Service, General Services Administration**. Subscription is \$5 a month or \$50 a year and may be ordered from **Superintendent of Documents, Government Printing Office**, Washington, DC 20402. Superintendent also sells copies of *Federal Register* for 75¢ each. Copies of *Federal Register* may be available in depository libraries.

## Seat belts on planes

Aug. 11 is deadline for comments on **Federal Aviation Administration's** (FAA) proposal to require airline passengers to stay in their seats and keep seat belts fastened throughout their flights.

Present regulations require that seat belts be buckled only during takeoff and landing or at other times when the seat belt sign is on. FAA wants to strengthen the regulations in an effort to prevent injuries caused by unexpected clear air turbulence or sudden aircraft maneuvers.

This proposal is one of 25 proposed safety changes in the Federal Aviation Regulations. Another one would require passengers who might need oxygen for medical reasons during a flight to keep a doctor's statement with them at all times.

Details—*Federal Register*: May 11, page 20448. Send comments to Rules Docket (AGC-24), Docket 17897, Federal Aviation Administration, Washington, DC 20591. For more information write or call Donald Schroeder at above address; telephone 202-755-8715.

## Turkey ham

Aug. 31 is deadline for comments on **Agriculture Dept.'s** proposed standard for "Turkey Ham." Agriculture has for some time permitted certain cured poultry products made from turkey thigh meat to be labeled as "Turkey Ham" without any further qualification. The agency felt that the term "ham," when prefixed by the species name of an animal, refers to the hind limb of that animal (in this case the thigh of a turkey). However, because of certain labeling laws, the American Meat Institute and the National Pork Producers Council petitioned Agriculture to amend Federal meat and poultry inspection laws to restrict the use of the term "ham" to the labeling of meat products prepared from the hind legs of swine. The 2 organizations said that labeling a turkey product merely as "Turkey Ham" would "falsely indicate that the product contains pork. . ."

Now that turkey ham is becoming more popular with consumers and has certain characteristics that consumers have come to expect, Agriculture is specifying just how the product should be prepared. Included in the proposal are provisions for approved curing agents, smoke flavorings and seasonings and a requirement that the weight of the finished product after cooking be no more than the original weight of the turkey thigh meat used before curing. In addition, the product name would be qualified by the term "Cured Turkey Thigh Meat" so no one would think any meat besides turkey was used in the turkey ham.

If chunks of turkey thigh meat are used in the product, the words "Chunked and Formed" would have to appear on the turkey ham label. If ground thigh meat is used, the words "Ground and Formed" would have to appear on the label. All such terms would have to be conspicuously displayed on the labels.

Details—*Federal Register*: June 2, page 26064. Send comments to Hearing Clerk, South Agriculture Bldg., Agriculture Dept., Washington, DC 20250. Any one who wants to make oral presentations should call or write Irwin Fried, Agriculture Dept., Washington, DC 20250; telephone 202-447-6042.

# consumer comment

Federal agencies want to learn your views on proposals and other items published in the *Federal Register* and CONSUMER REGISTER. Agencies use these comments in their decision making.

These forms are provided for you to use, if you wish, in commenting on these items. For more lengthy comments, feel free to use a plain sheet of paper. Send comment forms to addresses listed in CONSUMER REGISTER summaries. CONSUMER NEWS is publishing these forms in cooperation with the **Food and Drug Administration (FDA)**.

Name \_\_\_\_\_ Date \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) \_\_\_\_\_

by (name of agency) \_\_\_\_\_

published in *Federal Register* on (date) \_\_\_\_\_ on (page) \_\_\_\_\_

(over)

Name \_\_\_\_\_ Date \_\_\_\_\_

Street \_\_\_\_\_

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published in *Federal Register* on (date) \_\_\_\_\_ on (page) \_\_\_\_\_

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# consumer comment

CONSUMER REGISTER publishes proposed and final rules, regulations and notices of interest to consumers originally appearing in the *Federal Register*. Notices on proposed rules published in the *Federal Register* and summarized in CONSUMER REGISTER give consumers the opportunity to participate in rule making prior to the adoption of final rules. The *Federal Register* is published to provide a uniform system for making available to the public regulations and legal notices issued by Federal agencies.

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